

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
DOMINIC OLIVEIRA,)	
on his own behalf and on behalf of)	
all others similarly situated,)	
)	
Plaintiffs,)	Civil Action No. 1:15-cv-10603-PBS
v.)	
)	
NEW PRIME INC.,)	
)	
Defendant.)	
_____)	

FINAL SETTLEMENT APPROVAL ORDER AND
FINAL JUDGMENT

Plaintiffs have filed a motion for final settlement approval for the New Group class members pursuant to Federal Rule of Civil Procedure 23 and the Fair Labor Standards Act (ECF Dkt. No. 293). This motion applies to the claims of the 1,242 individuals who were part of the “New Group” notice process.

In the motion for final settlement approval, Plaintiffs request an order finally approving settlement of the above-captioned action for the New Group.

Having reviewed the motion, the settlement agreement, and conducting a final settlement approval hearing on May 19, 2021, it is hereby ORDERED that:

1. This Order applies to the consolidated actions of *Oliveira v. New Prime, Inc.*, Civil Action No. 1:15-cv-10603-PBS (D. Mass.), and *Haworth et al. v. New Prime, Inc.*, Civil Action No. 6:19-cv-03025-RK (W.D. Mo.), which was transferred to this Court from the United States District Court for the Western District of Missouri.

2. This settlement is fair, reasonable, and adequate and the Court grants Plaintiffs' motion for final settlement approval.

3. This Court finds that the notice provided to New Group Settlement Class Members was the best notice practicable and fully satisfied the requirements of the Federal Rules of Civil Procedure, due process, and any other applicable laws.

4. The Court approves the proposed distribution of settlement funds as set forth in Plaintiffs' motion for final settlement approval.

5. The Court orders that the payments be made in this matter pursuant to the timetable established in the parties' Settlement Agreement (and the Addendum thereto, dated January 6, 2021).

6. Judgment is to be entered pursuant to Federal Rule of Civil Procedure 54(b) and 29 U.S.C. § 216(b) *et seq.*, and the Court dismisses with prejudice all claims against Prime released as part of this settlement.

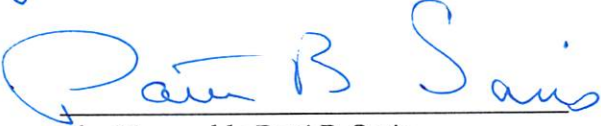
7. The parties' Settlement Agreement is binding on Defendant, the Class Representatives, and all Participating Class Members who have not excluded themselves from the settlement.

8. The claims of Putative Class/Collective Members who have properly and timely excluded themselves in full accordance with the procedures set forth in the parties' Settlement Agreement are dismissed without prejudice.

9. Without affecting the finality of this Final Settlement Approval Order and Judgment in any way, this Court retains continuing jurisdiction to implement the Settlement Agreement and to construe, enforce, and administer the Settlement

Agreement and this settlement. Class Counsel will continue in their role to oversee all aspects of the Settlement Agreement and settlement, consistent with the terms of the Settlement Agreement.

ENTERED this 19 day of May, 2021.


The Honorable Patti B. Saris